

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DOMINGO MONTAR-MORALES,

Petitioner,

v.

MICHAEL OBENLAND,

Respondent.

CASE NO. C19-1811 MJP

ORDER DENYING MOTION FOR
AN EXTENSION OF TIME

This matter comes before the Court upon Petitioner Domingo Montar-Morales's Motion to Extend Time to File his Notice of Appeal. (Dkt. No. 26.) Having read the Motion and the relevant record, the Court DENIES the Motion.

In a civil case, the notice of appeal must be filed within 30 days after entry of the judgment appealed from, except in a limited number of situations not applicable here. Fed. R. Civ. P. 4(a)(1)(A). The Court may extend the time to appeal if:

- (i) a party so moves no later than 30 days after the time prescribed by this Rule 4(a) expires; and

1 (ii) regardless of whether its motion is filed before or during the 30 days after the
2 time prescribed by this Rule 4(a) expires, that party shows excusable neglect or
3 good cause.

4 Fed. R. Civ. P. 4(a)(5). In this case, the Court entered judgment on October 28, 2020 and
5 Petitioner did not file his Motion for an Extension of Time until January 27, 2021, 91 days after
6 judgment was entered. (Dkt. Nos. 25, 26.) Petitioner's Motion was therefore filed well outside
7 the bounds of the rule and the Court therefore DENIES the Motion.

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9 The clerk is ordered to provide copies of this order to all counsel.

10 Dated January 29, 2021.

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13 Marsha J. Pechman
14 United States Senior District Judge
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